



Policy: 1160.04
Procedure: 1160
Chapter: Inspections and Investigations
Rule: Child Abuse Investigation Protocol

Effective: 09/08/05
Replaces: N/A
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Purpose:

Arizona Department of Juvenile Corrections (ADJC) Inspections and Investigations Division (IID) has established a protocol for responding to and investigating an incident of physical and sexual abuse involving an ADJC juvenile in accordance with ARS §13-3620. This protocol shall determine whether a crime has been committed and whether to bring to light those facts and circumstances necessary to hold the perpetrator(s) accountable for their criminal activity through the County Attorney's Office.

Rules:

1. In addition to statutory requirements and case law the **ADJC CRIMINAL INVESTIGATIONS UNIT OF THE INSPECTIONS AND INVESTIGATIONS DIVISION (IID)** shall be concerned with the following during an investigation:
 - a. **ADJC CRIMINAL INVESTIGATIONS** shall:
 - i. Be cognizant of the needs of the victim;
 - ii. Be cognizant of the responsibilities of other organizations involved in the treatment, the support, and the recovery of the victim;
 - iii. Coordinate efforts with Child Protective Services (CPS) when needed; and
 - iv. Coordinate efforts with prosecuting agency, during an investigation.
 - b. The **INVESTIGATIONS SUPERVISOR** shall determine whether or not a criminal investigative response will be initiated.
2. **Sexual Abuse/Child Abuse Investigations outside of ADJC's jurisdiction.**
 - a. **ADJC CRIMINAL SPECIAL INVESTIGATORS** shall:
 - i. Establish and maintain a close working relationship with CPS and the Pima and Maricopa County Attorney's Office;
 - ii. Document their actions and coordinate with the appropriate jurisdiction;
 - iii. Obtain sufficient information about the allegation to identify the agency that has jurisdiction without conducting a formal interview; and
 - iv. Cross report to local law enforcement jurisdiction and to CPS.
3. **Sexual Abuse Investigations within the ADJC jurisdiction.**
 - a. **ADJC CRIMINAL SPECIAL INVESTIGATORS** shall:
 - i. Interview the reporting source to determine the circumstances of disclosure;
 - ii. Arrange for an interview of the victim;
 - iii. Interview the victim;
 - (1) The interview shall be recorded and should take place at Central Office IID Interview Room;
 - (2) The interview will be conducted by a trained Investigator;
 - (3) The interview may take place at an Advocacy Center.
 - iv. Eliminate unnecessary or multiple interviews of the child victim;
 - v. Arrange for a medical examination at an Advocacy Center, if necessary;
 - vi. Conduct crime scene(s) investigation and process the evidence;
 - vii. Interview witnesses;
 - viii. Obtain a copy of the medical examination report and interview medical personnel;
 - ix. Conduct investigative research on:
 - (1) Prior convictions of the suspect;
 - (2) Prior Police reports involving the suspect, victim(s) or witness(es);

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- (3) Prior unreported allegations involving the suspect, victim(s) or witness(es); and current and prior CPS reports.
 - b. **ADJC CRIMINAL SPECIAL INVESTIGATOR'S INTERVIEW** shall include:
 - i. Determining the need to arrest the suspect based on:
 - (1) The risk of flight to avoid prosecution;
 - (2) The danger to the community;
 - ii. Conducting any other necessary investigations.
 - c. **ADJC CRIMINAL SPECIAL INVESTIGATOR'S CASE PRESENTATION** shall be processed in a timely manner and include:
 - i. A complete copy of the ADJC Police report;
 - ii. A copy of audio-tapes;
 - iii. Video-tapes;
 - iv. Documentation of any physical injury to the victim with digital or 35 mm photographs;
 - v. Photographs:
 - (1) Which depict the victim's entire body and face, not just the external manifestations of abuse;
 - (2) Which include ruler and color bar where possible;
 - vi. Additional follow-up photographs which were taken;
 - vii. Medical records of the victim that pertain to the allegation;
 - viii. Child Protective Services files on the victim and family; and
 - ix. Prior relevant Police reports and any other information obtained during the investigation.
 - d. **ADJC CRIMINAL SPECIAL INVESTIGATOR'S CASE FILE** shall include:
 - i. A copy of all non-privileged information from the CPS investigation;
 - ii. The CPS case file; and
 - iii. Any relevant, non-privileged, non-duplicative information concerning the victim or witnesses from the Attorney General Office's file pertaining to the dependency, severance or related investigation or action.
- 4. **Child Physical Abuse and/or Neglect Investigations.**
 - a. **ADJC CRIMINAL SPECIAL INVESTIGATORS** shall establish the following:
 - i. The crime of physical abuse;
 - ii. Neglect; and
 - iii. Jurisdiction.
 - b. The **ADJC CRIMINAL SPECIAL INVESTIGATOR** shall:
 - i. Following determination that a crime has been committed, Investigations shall
 - (1) Assess the need for scene preservation and/or evidence collection;
 - (2) Obtain a search warrant or consent form, if necessary, when the victim or suspect gives information regarding a weapon, instrument, or mechanism of the injury, a search warrant or consent form;
 - (3) Document any physical injury to the victim with digital or 35 mm photographs;
 - (a) Photographs should depict the victim's entire body and face, not just the external manifestations of abuse;
 - (b) Photographs should include ruler and color bar where possible;
 - (c) Additional follow-up photographs shall be taken as needed.
 - (4) Obtain any relevant medical records on the victim and interview appropriate medical personnel;
 - (5) Assess the risk of flight to avoid prosecution and determine if the suspect should be arrested in light of all the information obtained; and
 - (6) Assess the need for a medical exam.
- 5. The **ADJC CRIMINAL SPECIAL INVESTIGATOR** shall notify the On-Call Deputy County Attorney for physical abuse cases and all cases where the victim is admitted to a hospital or dies as a result of suspected child abuse.

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- a. The **INVESTIGATOR** may obtain an initial statement from the a qualified physician (not the intern or resident on duty) regarding:
 - i. Time frames;
 - ii. Mechanisms of injury;
 - iii. Symptoms the victim would be expected to show, given the injury sustained;
 - iv. Interviews conducted with, suspects and witnesses, including specialized physicians (e.g., neurosurgeons, pediatric radiologists, etc.).
6. **CASE FILE** shall include the following:
 - a. A complete copy of the Police report;
 - b. Copy of audiotapes;
 - c. Videotapes;
 - d. Photographs;
 - e. Medical records of the child;
 - f. Child Protective Services files on the victim and family;
 - g. Prior relevant Police reports and any other information obtained during the investigation;
 - h. A copy of all non-privileged information from the CPS investigation, including the CPS case file; and
 - i. Relevant information concerning the victim or witnesses from the Attorney General Office's file:
 - i. Non-privileged;
 - ii. Non-duplicative;
 - iii. Pertaining to the dependency;
 - iv. Severance;
 - v. Related investigation;
 - vi. Action concerning the victim or witnesses.
7. **Case Presentation.** All requested information shall be presented to the Deputy County Attorney 24 hours prior to Grand Jury or Preliminary Hearing:
 - a. If the case goes to a Grand Jury, the **ASSIGNED ADJC CRIMINAL INVESTIGATOR** should present the case;
 - b. If the case goes to a Preliminary Hearing, the **ASSIGNED ADJC CRIMINAL INVESTIGATOR** shall attend when subpoenaed.
8. The **INVESTIGATIONS SUPERVISOR** shall assign an ADJC Criminal Special Investigator when a post-filing further is requested and the suspect is in custody.
9. If the Deputy County Attorney refers the case back to ADJC for further investigation:
 - a. **INVESTIGATIONS SUPERVISOR** shall return the case to the original ADJC Criminal Investigator, when possible;
 - b. The **ADJC INVESTIGATOR** shall obtain the requested information as soon as possible.
10. **ADJC Criminal Special Investigators Training.**
 - a. **ADJC SPECIAL INVESTIGATORS** shall participate in continuing training regarding the investigation of the neglect, physical and sexual abuse of children, which shall include but not limited to an 8 hour and 40 hour Forensic Interview School;
 - b. **ADJC CRIMINAL SPECIAL INVESTIGATORS** responsible for continuing an investigation beyond first responders of child abuse/neglect shall receive the following or equivalent training:
 - i. Child physical abuse investigations and medical aspects;
 - ii. The investigation of sexual crimes against children;
 - iii. Forensic Interviewing – the basic 8 hour course.
 - c. **ADJC CRIMINAL SPECIAL INVESTIGATOR** tasked with conducting an interview of a child for the purpose of obtaining evidence/statements for use in judicial hearings/trials, should have the following training and meet the standards required:

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- i. A 40 hour training in advanced forensic interview; and
- ii. The Children's Justice Task Force Advanced Forensic Interview training; or
- iii. Any equivalent courses that adhere to the same standards.

Effective Date:	Approved by Process Owner:	Review Date:	Reviewed By: